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*Attorneys for Plaintiff Gary Miller*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

GARY MILLER, an individual,

Plaintiff,

vs.

NYE COUNTY, Nevada, a political  
subdivision of the State of Nevada and doing  
business as the Nye County Sheriff's Office  
and Nye County Animal Control; and  
DEPUTY JOHN TOLLE, individually and  
in his official capacity as a Nye County  
Police Officer;

Defendants.

**Case. No.: 2:19-cv-00601-JAD-DJA**

**STIPULATION AND ORDER TO  
EXTEND DISPOSITIVE MOTION  
DEADLINE**

**(SECOND REQUEST)**

Complaint filed: April 9, 2019

FAC filed: September 25, 2019

Pursuant to LR IA 6-1, Plaintiff, Gary Miller and Defendants, Nye County and Deputy John Tolle, by and through their respective counsel of record, submit this Stipulation and Order to Extend Dispositive Motion Deadline. The parties respectfully request the dispositive motion deadline be extended by two (2) weeks.

1           Currently the dispositive motion deadline is February 16, 2021. (ECF No. 45). The parties  
2 respectfully request the dispositive motion deadline be extended until March 2, 2021. Similarly,  
3 the parties hereby request that the last day to file a Joint Pretrial Order shall be extended for two  
4 (2) weeks or until April 1, 2021. In the event dispositive motions are filed, the date for filing the  
5 Joint Pretrial Order shall be suspended until thirty (30) days after decision on the dispositive  
6 motions or upon further Order by the Court extending the time period in which to file the Joint  
7 Pretrial Order.

8           The parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested  
9 extension. Due to extenuating circumstances, including several court-ordered deadlines,  
10 Plaintiff's counsel respectfully requested a 2-week extension, and Defendant's counsel agreed.

11           Further, the parties believe that dispositive motions may resolve issues related in the case,  
12 such as the same will not be required to proceed to a jury and will conserve judicial resources.

13           This extension request is made in good faith, jointly by the parties, and not for the purposes  
14 of delay. Trial in this matter has not yet been set. Moreover, since this request is a joint request,  
15 neither party will be prejudiced.

16           This Request for an extension of time is not sought for any improper purpose or other  
17 purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient  
18 time to prepare dispositive motions in this case and adequately prepare their respective cases for  
19 trial to the extent the dispositive motions do not resolve all of the claims.

20           This is the second request for extension of the dispositive motion deadline in this matter.  
21 The parties respectfully submit that the reasons set forth above constitute compelling reasons for  
22 the extension.

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1 WHEREFORE, the parties respectfully request that this Court extend the deadline to file  
2 dispositive motions in the above-captioned case two (2) weeks, up to and including March 2, 2021  
3 and the other dates as outlined in accordance with the table above.

4 NAYLOR & BRASTER

MARQUIS AURBACH COFFING

5  
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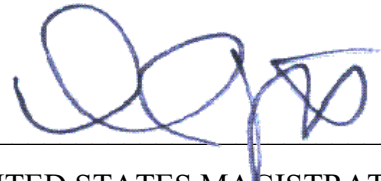
*Attorneys for Defendants Nye County and  
Deputy John Tolle*

12 *Attorneys for Plaintiff Gary Miller*

13 **ORDER**

14 IT IS SO ORDERED.

15 DATED this 16th day of February, 2021.

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19 UNITED STATES MAGISTRATE JUDGE